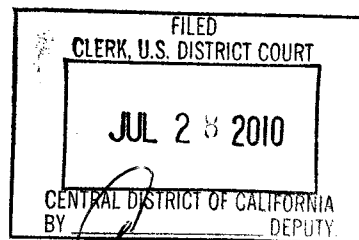


Mark A. Pals, P.C. (*pro hac vice*)
mpals@kirkland.com
Marcus E. Sernel (*pro hac vice*)
msernel@kirkland.com
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
(312)862-2000 (o); (312)862-2200 (f)

Daralyn J. Durie (SBN 169825)
ddurie@durietangri.com
Mark Lemley (SBN 155830)
mlemley@durietangri.com
DURIE TANGRI LLP
217 Leidesdorff Street
San Francisco, CA 94111
(415)362-6666 (o); (415)236-6300 (f)
Attorneys for GENENTECH, INC.

David I. Gindler (SBN 117824)
dgindler@irell.com
Joseph M. Lipner (SBN 155735)
jlipner@irell.com
IRELL & MANELLA, LLP
1800 Avenue of the Stars
Los Angeles, CA 90067
(310)277-1010 (o); (310)203-7199 (f)

Attorneys for CITY OF HOPE



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CENTOCOR ORTHO BIOTECH, INC.,

Plaintiff,

v.

GENENTECH, INC. AND CITY OF
HOPE,

Defendants.

GENENTECH, INC. AND CITY OF
HOPE,

Counter-Plaintiffs

v.

CENTOCOR ORTHO BIOTECH, INC.,

Counter-Defendant

AND

GLOBAL PHARMACEUTICAL
SUPPLY GROUP, LLC, CENTOCOR
BIOLOGICS, LLC, AND JOM
PHARMACEUTICAL SERVICES, INC.,

Third-party Defendants.

Case No. CV 08-03573 MRP (CTx)

The Honorable Mariana R. Pfaelzer

**PROPOSED ORDER
GRANTING GENENTECH,
INC.'S AND CITY OF HOPE'S
APPLICATION TO FILE
DOCUMENTS UNDER SEAL**

Date: August 17, 2010

Time: TBD

Ctrm: 12

Judge: Honorable Mariana R. Pfaelzer

ORIGINAL

1 Having considered Genentech, Inc.'s and City of Hope's Application to File
2 Under Seal and all papers submitted therewith, the Court finds that good cause exists
3 under Local Rule 79-5.1 for the requested relief and hereby ordered that the
4 Application is GRANTED.

5 IT IS THEREFORE ORDERED THAT:

6 1. The Opposition By Genentech, Inc. and City of Hope To Centocor Ortho
7 Biotech, Inc.'s and Its Counter-Defendant Affiliates' Motion for Summary Judgment
8 of No Willful Infringement (Motion No. 1) shall be filed under seal.

9 2. The Statement of Genuine Issues in Support of Genentech, Inc.'s and
10 City of Hope's Opposition to Centocor Ortho Biotech, Inc.'s Motion for Summary
11 Judgment of No Willful Infringement (Motion No. 1) shall be filed under seal.

12 3. The Opposition of Genentech, Inc. & City of Hope to Centocor Ortho
13 Biotech, Inc.'s Motion for Construction of Claim Term "Immunoglobulin" (Motion
14 No. 2) shall be filed under seal.

15 4. The Cross Motion for Summary Judgment Adjudication and Opposition
16 of Genentech, Inc. & City of Hope to Centocor Ortho Biotech, Inc.'s Motion for
17 Summary Judgment of No Infringement of Claim 33 (Motion No. 3) shall be filed
18 under seal.

19 5. The Statement of Genuine Issues in Support of Genentech, Inc.'s and
20 City of Hope's Opposition to Centocor Ortho Biotech, Inc.'s Motion for Summary
21 Judgment of No Infringement of Claim 33 (Motion No. 3) shall be filed under seal.

22 6. The Statement of Uncontroverted Facts and Conclusions of Law in
23 Support of Genentech, Inc.'s and City of Hope's Cross Motion for Summary
24 Adjudication shall be filed under seal.

25 7. Genentech, Inc. and City of Hope's Opposition to Centocor's Motion for
26 Summary Judgment of Invalidity of Claim 33 for Failure to Comply with 35 U.S.C. §
27 112 (Motion No. 4) shall be filed under seal.
28

1 8. The Response of Defendants Genentech, Inc. and City of Hope to
2 Statement of Undisputed Facts and Conclusions of Law In Support Of Centocor's
3 Motion for Summary Judgment of Invalidity of Claim 33 for Failure to Comply with
4 35 U.S.C. § 112 (Motion No. 4) shall be filed under seal.

5 9. The Opposition by Genentech, Inc. and City of Hope to Centocor Ortho
6 Biotech, Inc.'s and Its Counter-Defendant Affiliates' Motion for Summary Judgment
7 of Anticipation (Motion No. 5) shall be filed under seal.

8 10. The Statement of Genuine Issues In Support of Genentech, Inc.'s and
9 City of Hope's Opposition to Centocor Ortho Biotech, Inc.'s Motion for Summary
10 Judgment of Anticipation (Motion No. 5) shall be filed under seal.

11 11. Genentech, Inc. and City of Hope's Opposition to Centocor Inc.'s
12 Motion for Summary Judgment That Claim 33 Is Invalid for Failure to Disclose The
13 Best Mode (Motion No. 6) shall be filed under seal.

14 12. The Response of Defendants Genentech, Inc. and City of Hope to
15 Statement of Undisputed Facts and Conclusions of Law In Support Of Centocor's
16 Motion for Summary Judgment That Claim 33 Is Invalid for Failure to Disclose the
17 Best Mode (Motion No. 6) shall be filed under seal.

18 13. The Declaration of Mark A. Pals In Support of Genentech, Inc.'s and
19 City of Hope's Cross Motion for Summary Adjudication and Opposition to Centocor
20 Ortho Biotech, Inc.'s Motions for Summary Judgment and Claim Construction (Nos.
21 1-6) ("Pals Declaration") shall be filed under seal.

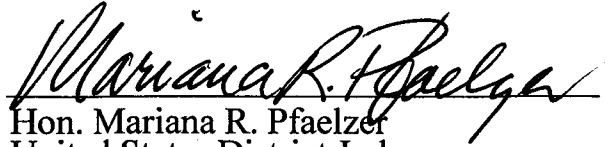
22 14. Exhibits B-M, O-R, W, Z-BB, EE-JJ, LL-NN, QQ-TT, WW to the Pals
23 Declaration shall be filed under seal

24 15. No persons other than the Court and counsel of record are authorized to
25 inspect the above-listed records filed under seal.

1 IT IS SO ORDERED

2
3
4 Dated:

July 28, 2010


Hon. Mariana R. Pfaelzer
United States District Judge